

RESPONSE

Trustee does not generally oppose approval of the proposed settlement; however, the Court previously entered an order holding Debtor's claimed exemption under Wash. Rev. Code § 6.15.010(1)(d)(vi) in abeyance until the personal injury claim was liquidated. ECF No. 28.

Based on the information provided in and with Debtor's Motion, Trustee has now filed a substantive objection to Debtor's claimed exemption. There is no evidence provided that any portion of the proposed settlement proceeds is attributable to actual bodily injury, much less, the entire amount. Based on the letter provided it would appear that the settlement represents pain and suffering and/or actual pecuniary losses, to which the exemption does not apply.

WHEREFORE, Trustee requests that the settlement be approved, but the funds be held by the Trustee pending resolution of Trustee's objection to exemptions.

DATED this 29th day of July, 2019.

/s/ Mathew S. LaCroix

Mathew S. LaCroix, WSBA# 41847 for
Michael G. Malaier, Chapter 13 Trustee

CERTIFICATE OF MAILING

I certify under penalty of perjury under the laws of the United States that on July 29, 2019, I caused to be mailed via regular mail a true and correct copy of the Trustee's Response to Motion to Approve Settlement and Approve Debtor(s) Exemption to the following:

Celena Ann Williams
7129 NE 28th Ave
Vancouver WA 98665

The following parties received Trustee's Response to Motion to Approve Settlement and Approve Debtor(s) Exemption via ECF:

Ellen Ann Brown
Lance E. Olsen
U.S. Trustee

Executed at Tacoma, Washington this 29th day of July, 2019.

/s/ Ruth Wilson
Motion Coordinator for
Michael G. Malaier, Chapter 13 Trustee